

Senate Study Bill 1216

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CO=CHAIRPERSON McKINLEY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the local option sales and services tax for
2 school infrastructure purposes by redefining the statewide tax
3 revenues per student and changing the applicability of the
4 certificate of need requirement and including an effective
5 date.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 2878XC 81
8 mg/gg/14

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1 1 Section 1. Section 423E.4, subsection 3, paragraph a, Code
1 2 2005, is amended to read as follows:

1 3 a. The director of revenue by June 1 preceding each fiscal
1 4 year shall compute the guaranteed school infrastructure amount
1 5 for each school district, each school district's sales tax
1 6 capacity per student for each county, the statewide tax
1 7 revenues per student, and the supplemental school
1 8 infrastructure amount for the coming fiscal year.

1 9 Sec. 2. Section 423E.4, subsection 3, paragraph b,
1 10 subparagraph (3), Code 2005, is amended by striking the
1 11 subparagraph and inserting in lieu thereof the following:
1 12 (3) "Statewide tax revenues per student" means the amount
1 13 determined by estimating the total revenues that would be
1 14 generated by a one percent local option sales and services tax
1 15 for school infrastructure purposes if imposed by all the
1 16 counties during the entire fiscal year and dividing this
1 17 estimated revenue amount by the sum of the combined actual
1 18 enrollment for all counties as determined in section 423E.3,
1 19 subsection 5, paragraph "d", subparagraph (2).

1 20 Sec. 3. Section 423E.4, subsection 6, unnumbered paragraph
1 21 1, Code 2005, is amended to read as follows:

1 22 A school district with an actual enrollment of less than
1 23 two hundred fifty or with an actual enrollment of less than
1 24 one hundred in high school shall not expend the supplemental

1 25 school infrastructure amount received for new construction or
1 26 for payments for bonds issued for new construction against the
1 27 supplemental school infrastructure amount without prior
1 28 application to the department of education and receipt of a
1 29 certificate of need pursuant to this subsection. However, a
1 30 certificate of need is not required for the payment of
1 31 outstanding bonds issued for new construction pursuant to
1 32 section 296.1, before April 1, 2003. A certificate of need is
1 33 also not required for repairing schoolhouses or buildings,
1 34 equipment, technology, or transportation equipment for
1 35 transporting students as provided in section 298.3, or for
2 1 construction necessary for compliance with the federal
2 2 Americans With Disabilities Act pursuant to 42 U.S.C. }
2 3 12101==12117. In determining whether a certificate of need
2 4 shall be issued or denied, the department shall consider all
2 5 of the following:

2 6 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
2 7 immediate importance, takes effect upon enactment.

2 8 EXPLANATION

2 9 This bill amends the Code chapter dealing with the local
2 10 sales and services tax for school infrastructure purposes by
2 11 requiring, in determining the definition of "statewide tax
2 12 revenues per student" for purposes of calculating a school
2 13 district's guaranteed amount, that instead of the present set

2 14 amount of \$575, an estimated amount that would be generated by
2 15 a 1 cent statewide sales tax divided by the budget enrollment
2 16 would be used.
2 17 The bill also limits the applicability of the requirement
2 18 for a certificate of need before supplemental funding may be
2 19 used for new construction, to school districts with less than
2 20 250 actual enrollment or with less than 100 actual enrollment
2 21 in high school, as opposed to the present requirement which is
2 22 applicable to all school districts.
2 23 The bill takes effect upon enactment.
2 24 LSB 2878XC 81
2 25 mg:rj/gg/14